United Nations A/C.1/60/L.48

General Assembly

Distr.: Limited
12 October 2005

Original: English

Sixtieth session
First Committee
Agenda item 101
Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects

Argentina, Australia, Austria, Belgium, Bolivia, Brazil, Bulgaria, Canada, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Haiti, Hungary, Iceland, India, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Monaco, Mongolia, Netherlands, New Zealand, Norway, Panama, Poland, Portugal, Republic of Moldova, Senegal, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland and United Kingdom of Great Britain and Northern Ireland: draft resolution

Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons, Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects

The General Assembly,

Recalling its resolution 59/107 of 3 December 2004,

Recalling with satisfaction the adoption and the entry into force of the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects,[1] and its amended article 1, and the Protocol on Non-Detectable Fragments (Protocol I),[1] the Protocol on Prohibitions or Restrictions on the Use of Mines, Booby Traps and Other Devices (Protocol II)[1] and its amended version, [2] the Protocol on Prohibitions or Restrictions on the Use of Incendiary Weapons (Protocol III)[1] and the Protocol on Blinding Laser Weapons (Protocol IV),[3]

Recalling the decision by the Second Review Conference of the States Parties to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to

[1] See *The United Nations Disarmament Yearbook*, vol. 5: 1980 (United Nations publication, Sales No. E.81.IX.4), appendix VII.
[2] CCW/CONF.I/16 (Part I), annex B.
[3] Ibid., annex A.

05-55001 (E) 141005

Have Indiscriminate Effects to establish an open-ended group of governmental experts with two separate coordinators on explosive remnants of war and on mines other than anti-personnel mines,[4]

Recalling also the role played by the International Committee of the Red Cross in the elaboration of the Convention and the Protocols thereto, and welcoming the particular efforts of various international, non-governmental and other organizations in raising awareness of the humanitarian consequences of explosive remnants of war,

1. *Calls upon* all States that have not yet done so to take all measures to become parties, as soon as possible, to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects[1] and the Protocols thereto, as amended, with a view to achieving the widest possible adherence to these instruments at an early date, and so as to ultimately achieve their universality;

2. *Calls upon* all States parties to the Convention that have not yet done so to express their consent to be bound by the Protocols to the Convention and the amendment extending the scope of the Convention and the Protocols thereto to include armed conflicts of a non-international character;

3. *Welcomes with satisfaction* the adoption of the Protocol on Explosive Remnants of War (Protocol V)[5] at the Meeting of the States Parties held at Geneva on 27 and 28 November 2003, and calls upon the States parties to express their consent to be bound by the Protocol and to notify the depositary at an early date of their consent;

4. *Notes* the decision of the Meeting of the States Parties that the Working Group on Mines Other Than Anti-Personnel Mines would continue its work in 2005 with the mandate to consider all proposals on mines other than anti-personnel mines put forward since the establishment of the Group of Governmental Experts, and to conduct meetings of military experts to provide advice, with the aim of elaborating appropriate recommendations on this issue for submission to the next Meeting of the States Parties to the Convention;[6]

5. *Also notes* the decision of the Meeting of the States Parties that the Working Group on Explosive Remnants of War would continue its work in 2005 with the mandate to continue to consider, including through participation of legal experts, the implementation of existing principles of international humanitarian law and to further study, on an open-ended basis, with particular emphasis on meetings of military and technical experts, possible preventive measures aimed at improving the design of certain specific types of munitions, including sub-munitions, with a view to minimizing the humanitarian risk of these munitions' becoming explosive remnants of war;[7]

6. *Further notes* the decision of the Meeting of the States Parties that the Chairperson-designate should continue to undertake consultations during the intersessional period on possible options with respect to promoting compliance with

[4] See CCW/CONF.II/2 and Corr.1, part II.

[5] See CCW/MSP/2003/3, appendix II.

[6] See CCW/MSP/2004/2 and Corr.1, para. 26.

[7] Ibid., para. 25.

the Convention and the Protocols thereto, taking into account proposals put forward;[8]

7. *Expresses support* for the work conducted by the Group of Governmental Experts, and encourages the Chairperson-designate and the Group to conduct work, in accordance with the mandate for 2005, with the aim of elaborating appropriate recommendations on mines other than anti-personnel mines for submission to the Meeting of the States Parties on 24 and 25 November 2005, and to report on the work done on compliance, as well as on the implementation of existing principles of international humanitarian law and on possible preventive technical measures to minimize the risk of munitions' becoming explosive remnants of war;

8. *Recalls* the decision of the Second Review Conference of the States Parties to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects to convene a further conference not later than 2006, requests that the conference be held in November 2006 in Geneva and preceded by as many preparatory meetings as deemed necessary by the States parties,[9] and also requests the Meeting of the States Parties on 24 and 25 November 2005 to take a final decision on these matters;

9. *Notes* that, in conformity with article 8 of the Convention, the Third Review Conference may consider any proposal for amendments to the Convention or the Protocols thereto as well as any proposal for additional protocols relating to other categories of conventional weapons not covered by existing protocols to the Convention;

10. *Requests* that the Third Review Conference and its preparatory meetings exert maximum effort to promote universalization of the Convention, as amended, and of all Protocols thereto, including through the holding of regional conferences and seminars;

11. *Requests* the Secretary-General to render the necessary assistance and to provide such services, including summary records, as may be required for the Meeting of the States Parties on 24 and 25 November 2005, as well as for any possible continuation of work after the Meeting, should the States parties deem it appropriate, and for the Third Review Conference and its preparatory meetings;[10]

12. *Also requests* the Secretary-General, in his capacity as depositary of the Convention and the Protocols thereto, to continue to inform the General Assembly periodically, by electronic means, of ratifications and acceptances of and accessions to the Convention, its amended article 1, and the Protocols thereto;

13. *Decides* to include in the provisional agenda of its sixty-first session the item entitled "Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects".

---

[8] Ibid., para. 27.

[9] In accordance with the proposed programme budget for the biennium 2006-2007: part II, Political affairs (sect 4, Disarmament) (A/60/6 (sect. 4)), para. 4.25 (a) (iii) a.

[10] Ibid.